

Marie-Ann Greenberg, MAG-1284
Marie-Ann Greenberg, Standing Trustee
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Chapter 13 Standing Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

RUDOLF HEINZ HENDEL
CATHERINE GEL-INN LIN-HENDEL

Case No.: 23-11353JKS

HEARING DATE: 06/08/2023 at 10:00 AM

**TRUSTEE'S OBJECTION TO DEBTOR(S) MOTION FOR AN ORDER FOR THE
CHAPTER 13 TRUSTEE TO COLLECT THE LICENSING AND ROYALTY FEE DEBTS
OWED TO DEBTORS**

Marie-Ann Greenberg, the Chapter 13 Standing Trustee by way of objection to the Debtor(s) Motion for an Order for the Chapter 13 Trustee to Collect the Licensing and Royalty Fees Owed to Debtors, respectfully objects as follows:

- The Trustee's objection is mainly procedural as the Chapter 13 Standing Trustee has no such power to collect debts as the debtors seek in this motion. A Chapter 13 Trustee is granted powers under Section 1302 (b)(1). Those powers include duties under Sections 702(a)(2)-702(a)(7) and Section 709(a)(9). The Code section that is not implemented in Section 702(a)(1). Section 702(a)(1) requires a Trustee to collect and reduce to money the property of the estate for which such trustee serves, and close such estate as expeditiously as is compatible with the best interests of the parties in interest. As this section is not invoked by Section 1302(b)(1), the Chapter 13 Trustee has no authority to comply with the motion before this Court.
- If the debtors would like a Trustee to assist in collecting and disbursing assets a Chapter 7 bankruptcy would allow for such assistance. The Chapter 13 Trustee would suggest that conversion to Chapter 7 may be logical based upon the request made in this Motion.

It is for these reasons and any others the Court deems fit that the Motion for an Order for the Chapter 13 Trustee to Collect Licensing and Royalty Fees owed to Debtors be denied.

Dated: May 17, 2023

By: /S/Marie-Ann Greenberg
Marie-Ann Greenberg, Esquire
Chapter 13 Standing Trustee